

## **REMARKS**

### **Claim Status**

Claims 1-8 are currently pending, with claims 1 and 8 being in independent form. No amendments have been made to the claims. Reconsideration of the application is respectfully requested.

### **Overview of the Office Action**

Claims 1-4 and 7 have been rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 7,257,815 (“*Gbadegesin*”) in view of U.S. Patent No. 6,714,946 (“*Kanai*”).

Claims 5 and 6 have been rejected under 35 U.S.C §103(a) as unpatentable over *Gbadegesin* and *Kanai* in view of U.S. Pub. No. 2002/0085516 (“*Bridgehall*”).

Claim 8 has been rejected under 35 U.S.C §103(a) as unpatentable over *Gbadegesin* in view of U.S. Patent No. 5,940,828 (“*Anaya*”).

Applicant has carefully considered the Examiner’s rejections, and the comments provided in support thereof. For the following reasons, applicant respectfully asserts that all claims now pending in the present application are patentable over the cited art.

### **Patentability of the Independent Claims under 35 U.S.C. §103(a)**

Independent claim 1 was previously amended to recite, *inter alia*, “wherein said system comprises a plurality of dedicated architecture resource managers each configured to simultaneously process, on behalf of the each architecture, requests defined by a process manager of the each architecture for access to a common resource of the multi-APN terminal”. Independent claim 8 was correspondingly amended. The Examiner-cited art fails to teach or suggest *at least* the dedicated architecture resource managers of independent claim 1.

The Examiner (at pg. 3 of the Office Action) asserts that

Gbadegesin teaches ... wherein said system comprises a plurality of dedicated architecture resource managers (**Access Control List**) each configured to simultaneously process, on behalf of the each architecture, requests defined by a process manager (**application**) of the each architecture for access to a common resource of the multi-APN terminal (**col. 4 line 62 to col. 5 line 9 teaches the application (process manager) to the access control list (resource manager)**), the requests being generated as a function of an application activated on said multi-APN terminal.

Applicant disagrees.

*Gbadegesin* relates to a method and system for managing concurrent access to multiple resources (see col. 2, lines 40-42). *Gbadegesin* seeks to solve a security problem that is created when a single device, i.e., a computer, concurrently accesses multiple networks such as a private corporate network and the public Internet. According to *Gbadegesin* “an application concurrently accessing two networks creates a security breach” (see col.1, lines 60-61). The system and method of *Gbadegesin* provides a solution to this problem by assigning resources to sets such that it is safe to concurrently access any combination of resources in a resource set, where two resource sets are unique with respect to each other. In this way, security is maintained while a user accesses the different resources.

Independent claim 1 recites “wherein said system comprises a plurality of dedicated architecture resource managers each configured to simultaneously process, on behalf of the each architecture, requests defined by a process manager of the each architecture for access to a common resource of the multi-APN terminal”. *Gbadegesin* fails to teach or suggest *at least* the dedicated architecture resource managers of independent claim 1.

Under the Examiner-proffered analysis, the access control list depicted in Fig. 2 of *Gbadegesin* corresponds to the resource managers of applicant’s claimed invention. Applicant disagrees because the access control list of *Gbadegesin* is merely a list that is consulted to

determine whether access to a particular resource should be allowed. For example, *Gbadegesin* explains that when an application instance attempts a resource-access operation, the permissions of the principal that is running (or “owns”) the application instance are compared against access control lists (ACLs) (see col. 2, lines 47-53).

*Gbadegesin* further explains that these lists specify, for each principal, “whether application instances owned by the principal may perform various resource-access operations including, but not limited to: accessing a resource in the virtual machine assigned to the application instance or in another virtual machine, creating a new resource, creating a new virtual machine, and concurrently accessing a resource in another virtual machine while maintaining access to resources in the virtual machine to which the application instance is currently assigned”. *Gbadegesini* fails to disclose that these ACLs perform any active processing of data; the ACLs are “static” devices having look-up locations that are merely consulted to ascertain their content. In *Gbadegesin*, moreover, it is a management facility (see Fig. 3) that performs the actual processing by comparing the permissions assigned to principals with data comprising the access control lists. Upon determining that the access control lists include data that indicate that the requested resource operation cannot occur, the management facility denies the request.

The Examiner (at pg. 3) further asserts that applicant’s claimed process manager is an application. Such a construct, however, is simply incorrect. As explained at pg. 9, line 35 to pg. 10, line 2 of applicant’s specification as originally filed, the process manager 17, 17’ manages all of the applications executed in the dedicated architecture 15, 15’ and allocates to each resource request an identifier that becomes effective when the resource requested is validated. There is no process manager in *Gbadegesin* that corresponds to this claimed subject matter. The process manager of each dedicated architecture of independent claim 1 provides requests for access to a common resource of the multi-APN terminal. These requests are processed by the resource

managers. Moreover, the requests are generated as a function of an application activated on the multi-APN terminal. *Gbadegesin* fails to teach or suggest this expressly recited subject matter of independent claim 1, which is correspondingly recited in independent method claim 8.

*Kanai* relates to a data management system and a data management method for providing data management and operational functionality in a single computer (see col. 1, lines 9-11). Fig. 3 of *Kanai* depicts a data management system 1 that comprises three types of constituent elements including a resource manager 11, n types of data operation module managers 12-1 to 12-n and n types of data operation modules 112-i corresponding to the data operation module managers 12-i (i=1 to n).

*Anaya* relates to “resolving locking contention for waiting transactions that are not truly deadlocked” (see col. 1, lines 6-9). *Anaya* explains that a lock manager receives and processes lock requests to control access to resources (see col. 2, lines 10-13). The lock manager of *Anaya* is described in detail at col. 5, lines 55-58 and col. 6, lines 2-8 of *Anaya*.

*Kanai* and *Anaya* each describe a system in which only a single resource manager or lock manager is provided. Independent claim 1, however, recites a plurality of dedicated architecture resource managers. *Kanai* and *Anaya* thus fail to teach the system of independent claim 1 and the corresponding method of independent claim 8 in which a plurality of dedicated architecture resource managers is provided. Moreover, even if, *arguendo*, *Kanai* and *Anaya* teach applicant’s claimed dedicated resource manager – which they do not – the disclosures of *Kanai* and *Anaya* provide the skilled person with no reason or motivation whatsoever to modify the system of *Gbadegesin* by replacing the Access Control Lists depicted in the *Gbadegesin* system with the resource manager of *Kanai* or the lock manager of *Anaya* to thereby provide a plurality of dedicated architecture resource managers as expressly recited in independent claim 1 and

correspondingly recited in independent claim 8. *Kanai* and *Anaya* merely teach a single resource manager and lock manager, respectively.

The claimed invention is directed to managing a common resource in a single multi-APN terminal when the terminal is connected through multiple architectures to multiple corresponding communications networks. The management of resources must be performed in a manner which accounts for the dedicated architecture manager (13) that is respectively used to manage each of the dedicated architectures (15, 15'). As explained at pg. 11, lines 11-15 of applicant's specification as originally filed, "[m]anagement by the dedicated architecture manager 13 of the various dedicated architectures 15, 15' each associated with a different communications network enables operation of the terminal 10 as a 'multi-APN' terminal". The claimed invention is thus directed to enabling the functionality of a single multi-APN terminal when it is connected to a plurality of communications networks. *Gbadegesin* in combination with *Kanai* and/or *Anaya* fails to achieve such a terminal.

As additionally explained at pg. 2, line 24 to pg. 3, line 6 of the instant specification, the dedicated architecture manager in the single multi-APN terminal assigns each dedicated architecture to a corresponding communications network. "The autonomy and independent operation of the dedicated architectures of the terminal guarantee mutual confidentiality and security between the communications networks by providing a 'seal' between the various services connected to the terminal.... To maintain the independence of the various communications networks effectively, and because of the autonomy of the various dedicated architectures of a terminal, each dedicated architecture has no view of the operation of the other dedicated architectures of the terminal" (see, e.g., pg. 2, line 17 to pg. 3, line 13 of applicant's specification). A key aspect of the claimed invention is based on the premise that each dedicated architecture within the single multi-APN terminal is provided with no view of the operation of

the other dedicated architectures within the same terminal to thereby maintain the security and independence of the plurality of communications networks. The sharing of datalink resources would compromise the “seal” guaranteed by the autonomous and independent operation of the dedicated architectures of the terminal, and the desired mutual confidentiality and security between the communications networks would be lost. The combination of *Gbadegesin*, *Kanai* and/or *Anaya* fails to achieve a system that would encompass these advantageous features.

There is simply no teaching or suggestion within *Gbadegesin*, *Kanai* and/or *Anaya* of a plurality of dedicated architecture resource managers that are each configured to simultaneously dialogue with a resource administrator of a dedicated architecture manager to manage common resources in a single multi-APN terminal based on simultaneous, operational processing of the multiple dedicated architectures of the single multi-APN terminal that are each connected to a corresponding one of a plurality of communications networks, as recited in independent claim 1. Accordingly, *Gbadegesin* in combination with *Kanai* and/or *Anaya* fails to teach or suggest the step of “generating the response, at a resource administrator of a dedicated architecture manager of the multi-APN terminal, after checking said common resource access request against simultaneous common resource access requests from others of the plural dedicated architectures of the multi-APN terminal” as recited in the method of independent claim 8.

The resource administrator of the plural dedicated architecture resource managers that each manage the resources allocated to a respective one of the plural dedicated architectures (15, 15') is described at pg. 11, line 16 to pg. 13, line 5 of applicant's specification as originally filed. The resource administrator dialogs with the plural dedicated architecture resource managers to advantageously manage access to a common resource in a single multi-APN terminal based on simultaneous operational processing of the plural dedicated architectures of the single multi-

APN terminal. The combination of *Gbadegesin*, *Kanai* and/or *Anaya* fails to teach or suggest this claimed feature.

By virtue of the above-discussed differences between the recitations of independent claims 1 and 8 and the teachings of *Gbadegesin* in combination with *Kanai* and/or *Anaya*, and the lack of any clear motivation for modifying the reference teachings to achieve applicant's claimed invention, independent claims 1 and 8 are deemed to be patentable over the combination of *Gbadegesin*, *Kanai* and/or *Anaya* under 35 U.S.C. §103.

**Patentability of Dependent Claims 5 and 6 under 35 U.S.C. §103(a)**

The Examiner (at pgs. 5 and 6 of the Office Action) has acknowledged that the combination of *Gbadegesin* and *Kanai* fails to disclose that the resource administrator of the dedicated architecture manager of the multi-APN terminal includes an interface for exchanging information with "a resource allocator of said multi-APN terminal" as recited in dependent claim 5 and "a radio interface" as recited in dependent claim 6, and cites *Bridgelall* for these features.

Applicant disagrees, however, that any combination of *Gbadegesin*, *Kanai* and/or *Bridgelall* achieves the subject matter of dependent claims 5 and 6. There is nothing in *Bridgelall* to cure the above-noted deficiencies in *Gbadegesin* and *Kanai* concerning the lack of teachings of, *inter alia*, the claim 1 recited resource managers as discussed above.

The combination of *Gbadegesin*, *Kanai* and/or *Bridgelall* therefore fails to teach or suggest the features recited in independent claim 1, let alone in dependent claims 5 and 6. Dependent claims 5 and 6 are accordingly likewise deemed to be patentable over the combination of *Gbadegesin*, *Kanai* and/or *Bridgelall*.

### **Dependent Claims**

In view of the patentability of independent claim 1 for the reasons presented above, each of dependent claims 2-7 is respectfully deemed to be patentable therewith over the prior art. Moreover, each of these dependent claims includes features which serve to still further distinguish the claimed invention over the applied art.

### **Conclusion**

Based on all of the above, applicant submits that the present application is now in full and proper condition for allowance. Prompt and favorable action to this effect, and early passage of the application to issue, are once more solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned to facilitate an early resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Lance J. Lieberman/  
Lance J. Lieberman  
Reg. No. 28,437  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

Dated: April 14, 2010